

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

HILDA L. SOLIS

PLAINTIFF

V.

CIVIL ACTION NO. 4:10-cv-77-DPJ-FKB

HERBERT BRUISTER, et al.

DEFENDANTS

ORDER

This cause is before the Court on the Motion to Consolidate this case with Rader v. Bruister, Civil Action No. 4:10-cv-95-HTW-LRA, filed by counsel for the Rader Plaintiffs in this case (Docket No. 309). The Rader Plaintiffs are not parties to this case and have not moved for leave to intervene. However, the Court has determined that the issue of consolidation must be addressed *sua sponte*.

Having considered the Motion to Consolidate and the posture of the cases, the Court concludes that though the cases were not consolidated for discovery, the two related cases involve common questions of fact and law such that consolidating them for trial would both serve judicial economy and avoid the risk of inconsistent decisions. See Mills v. Beech Aircraft Corp., Inc., 886 F.2d 758 (5th Cir. 1989). Accordingly, the cases are hereby consolidated for trial only. The cases will continue to be governed by the deadlines set in the respective cases, and, until further order from the Court, the parties should continue filing in the separate cases using the separate cause numbers. The cause number for Rader v. Bruister will be Civil Action No. 4:10-cv-95-DPJ-FKB, and all future filings in that case shall use the appropriate judge designations. An Order will be entered in Rader to reflect the consolidation of these cases for trial purposes only.

The Court, furthermore, *sua sponte*, continues the trial of this matter, as follows:

1. Pretrial conference: March 8, 2013, at a time to be set by Judge Jordan's office; and

2. Bench trial: the two-week term of court beginning April 1, 2013 at 9:00 a.m. before Judge Jordan.

SO ORDERED, this the 7<sup>th</sup> day of August, 2012.

/s/ F. Keith Ball  
UNITED STATES MAGISTRATE JUDGE